

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0939-01  
Bill No.: HB 224  
Subject: Corrections Department: Crimes and Punishment  
Type: Original  
Date: February 5, 2001

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
General Revenue Fund	\$883,600	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$883,600</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Social Services** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **Department of Corrections (DOC)** assume the proposed legislation authorizes the DOC to permit certain class A and B felons, excluding dangerous felons and predatory sex offenders, to be released on inmate status and be supervised via the Electronic Monitoring Program (EMP). This will increase the number of inmates eligible for "house arrest" and earlier release from confinement.

To estimate the potential positive impact of this proposal, DOC compared the percentage of sentences served by class C felons that were placed on EMP to those class C felons who remained confined until released on their parole date during FY00. The comparison showed that those placed on EMP served 4% less of their sentence than those released to parole. DOC also determined that 25% of all class C felons released in FY00 were placed on EMP.

DOC applied these indicators to first releases of class A and B felons in FY00, a group that includes, but is not limited to, offenders convicted of drug sales, armed criminal action, first degree burglary, voluntary manslaughter, and 2<sup>nd</sup> degree robbery. Application would provide a reduction of prison time served comparable to the equivalent of 80 offenders per year at the FY99 average of \$35.61 per inmate, per day, or an annual incarceration cost of \$12,998. This would be offset by the EMP per diem rate of \$5.35 per offender, per day, or \$1,953 per annum, which includes equipment and supervision costs.

80 offenders x \$12,998 annual incarceration cost =	\$1,039,840
80 offenders x \$1,953 annual EMP cost (offset) =	<u>(156,240)</u>
Annual estimated positive impact for DOC =	<u>\$ 883,600</u>

The reduction in confinement is less than one year for each offender, therefore the fiscal impact is not cumulative, but constant over time. It should also be noted that the impact will be affected by the actual number of eligible class A and B felons that can be considered each year and the actual number released to EMP.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<b>GENERAL REVENUE FUND</b>			
<u>Savings</u> - Department of Corrections	\$1,039,840	\$0	\$0
<u>Costs</u> - Department of Corrections	<u>(\$156,240)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>\$883,600</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2002 (10 Mo.)	 FY 2003	 FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation expands the house arrest program to include certain class A and B felons. Any person serving a sentence for a dangerous felony or identified as a predatory sexual offender would not be eligible for participation in the house arrest program.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Corrections  
Department of Social Services



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